

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD8800 Cal Center Drive
Sacramento, California 95826

Robert C. Frazee, Chairman
Sam Egigian, Member
Paul Relis, Member

Wednesday, March 6, 1996
9:30 a.m.
meeting of the

PERMITTING AND ENFORCEMENT COMMITTEE

of the
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

8800 Cal Center Drive
Sacramento, CA 95826

AGENDA

- Note:
- o Agenda items may be taken out of order.
 - o If written comments are submitted, please provide 15 two-sided copies.
 - o Public testimony may be limited to five minutes per person.

Important Notice: The Board intends that Committee Meetings will constitute the time and place where the major discussion and deliberation of a listed matter will be initiated. After consideration by the Committee, matters requiring Board action will be placed on an upcoming Board Meeting Agenda. Discussion of matters on Board Meeting Agendas may be limited if the matters are placed on the Board's Consent Agenda by the Committee. Persons interested in commenting on an item being considered by a Board Committee or the full Board are advised to make comments at the Committee meeting where the matter is considered.

Some of the items listed below may be removed from the agenda prior to the Committee meeting. To verify whether an item will be heard, please call Tracy Webb, at (916) 255-2167.

1. CONSIDERATION OF CONCURRENCE IN THE ISSUANCE OF A REVISED SOLID WASTE FACILITY PERMIT FOR THE NORTH FORK TRANSFER STATION, MADERA COUNTY
2. CONSIDERATION OF CONCURRENCE IN THE ISSUANCE OF A REVISED SOLID WASTE FACILITY PERMIT FOR THE B&J DROP BOX SANITARY LANDFILL, SOLANO COUNTY

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3. CONSIDERATION OF ADOPTION OF THE NEGATIVE DECLARATION AND CONCURRENCE IN THE ISSUANCE OF A NEW SOLID WASTE FACILITY PERMIT FOR THE CHESTER/LAKE ALMANOR SOLID WASTE TRANSFER STATION, PLUMAS COUNTY
4. CONSIDERATION OF SITES FOR REMEDIATION UNDER THE WASTE TIRE STABILIZATION AND ABATEMENT PROGRAM
5. CONSIDERATION OF A NEW SITE FOR THE SOLID WASTE DISPOSAL AND CODISPOSAL SITE CLEANUP PROGRAM (AB 2136)
6. CONSIDERATION OF THE 30-DAY NOTIFICATION OF THE INTENT TO WITHDRAW APPROVAL OF THE DESIGNATION OF THE SISKIYOU COUNTY LOCAL ENFORCEMENT AGENCY
7. CONSIDERATION OF PROPOSED FINANCIAL ASSURANCES ENFORCEMENT PROCEDURES FOR SOLID WASTE LANDFILLS FINANCIAL ASSURANCE VIOLATIONS
8. CONSIDERATION OF THE REGULATORY TIERS PERMIT ENFORCEMENT POLICY FOR SOLID WASTE FACILITIES
9. CONSIDERATION OF DELEGATION OF AUTHORITY TO THE EXECUTIVE DIRECTOR TO CONCUR IN THE ISSUANCE OF STANDARDIZED PERMITS
10. CONSIDERATION OF STAFF RECOMMENDATIONS TO ADDRESS THE STATUTORY REQUIREMENT THAT UNPERMITTED SOLID WASTE FACILITIES CEASE OPERATION ON OCTOBER 16, 1996
(Items available closer to meeting date)
11. OPEN DISCUSSION
12. ADJOURNMENT

Notice: The Committee may hold a closed session to discuss the appointment or employment of public employees and litigation under authority of Government Code Sections 11126 (a) and (q), respectively.

For further information contact:
INTEGRATED WASTE MANAGEMENT BOARD
8800 Cal Center Drive
Sacramento, CA 95826

Patti Bertram
(916) 255-2156

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CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Enforcement Committee
March 6, 1996

AGENDA ITEM 1

ITEM: CONSIDERATION OF CONCURRENCE IN THE ISSUANCE OF A
REVISED SOLID WASTE FACILITY PERMIT FOR THE NORTH FORK
TRANSFER STATION, MADERA COUNTY

BACKGROUND:

Facility Facts

Facility Name:	North Fork Transfer Station, Facility No. 20-AA-0001
Facility Type:	Large Volume Transfer Station
Location:	33699 Road 274 North Fork, California
Area:	The facility is located on a 10 acre parcel.
Setting:	Surrounding land use includes Public Open Space, Rural Mountain, Rural Mountain Single Family, and Industrial, Heavy.
Permitted Tonnage:	99 cubic yards [or approximately 25 tons per day (TPD)]
Proposed Permitted Tonnage:	60 TPD
Operational Status:	Active, permitted, operating under a Stipulated Order of Compliance.
Owner:	County of Madera Mr. Michael Kirn, County Engineer Dept. of Engineering & General Services
Contract Operator:	Madera Disposal Systems, Inc. (MDSI) Mr. Gene Dupreau, Owner
Local Enforcement Agency:	Madera County Environmental Health Mr. James Blanton, Director

Proposed Project The revised permit will allow for an increase in tonnage from approximately 25 tons per day (TPD) to 60 TPD, thereby, changing the operations from a small volume to a large volume transfer station; extend the hours of operation from 9:00 a.m. - 5:00 p.m. to 7:00 a.m. - 6:00 p.m.; allow for the acceptance of household hazardous waste (HHW). Additionally, the permit revision will allow a modification to the facility's design which includes an expansion of 28' x 40' to the existing 40' x 40' partially enclosed building, and installation of a HHW storage locker.

SUMMARY:

Site History: The facility has been in operation since the early 1970s. In 1979, the county awarded the operation of the station to the private sector. Today, station operations and waste hauling is performed by MDSI, who owns all buildings and equipment located at the site. However, the county remains the land owner. The existing permit was issued on March 30, 1990 as a small volume transfer station. In April 1995 a peak load of 57 TPD was noted in the operators weight and volume records. A proposed permit was originally submitted in May 1995, however, Board staff found the permit application to be incomplete and outstanding violations of State Minimum Standards. Subsequently, the proposed permit was withdrawn. The facility is currently operating under a Stipulated Order of Compliance which was first issued on July 17, 1995, then reissued October 31, 1995, which stipulates an application for permit revision was to be submitted to the LEA by November 30, 1995. On December 21, 1995, the LEA accepted the application package as complete.

Project Description: The facility is located in the mountain area of eastern Madera County, about 0.5 miles above North Fork on Road 274. Primary routes used by station related traffic, in addition to Road 274, include County Roads 200 and 225. The facility consists essentially of a main processing building, a gatehouse, and areas for storing waste containers. The main building is a split level structure which encloses the unloading area and all sides except the west. The unloading area is on the upper level of the structure. The lower level of the structure houses the waste container in use.

The facility is open to the public 9:00 a.m. to 5:00 p.m. Thursday through Monday, closed Tuesdays and Wednesdays and major holidays. The facility may operate two hours earlier each morning and one hour later each afternoon for the purposes of cleaning activities, special arrangement loads and operator/county use.

The Report of Station Information (RSI) states the average daily throughput anticipated for 1996 is approximately 27 TPD, and is expected to increase to approximately 30 TPD by 1999 as a result of the estimated 3.3% growth rate.

The station is operated by two full time employees, therefore, at least one site supervisor/operator is on duty at all times. The site supervisor/operator assumes responsibility for daily operations which include monitoring traffic flow and unloading, cleaning, and maintaining a safe environment. Additionally, personnel at the MDSI operations at the Fairmead Landfill advise the site operators and oversee the operations of the station.

Environmental Controls: The environmental control measures for dust, vectors, drainage, litter, noise, and odor are described in the November 1995, Report of Station Information (RSI). The LEA has determined that these controls, if applied, will meet the State Minimum Standards for Solid Waste Handling and Disposal.

Resource Recovery Operations: Salvaging activities at the site are minimal because the waste is transferred to the Mammoth Materials Recovery where resource recovery will occur.

ANALYSIS:

Requirements for Concurrence with the Solid Waste Facilities Permit Pursuant to Public Resources Code, Section 44009, the Board has 60 calendar days to concur in or object to the issuance of a Solid Waste Facility Permit. Since the proposed permit for this facility was received February 12, 1996, the last day the Board may act is April 13, 1996.

The LEA has submitted a proposed permit to the Board. However, not all the necessary supporting documentation has been submitted. An update on the missing documentation, that is expected to be forthcoming, will be provided by Board staff at the March committee meeting.

1. Conformance with County Plan

The facility is identified and described in the 1984 Madera County Solid Waste Management Plan. Based upon this information Board staff concludes that the requirements of PRC 50000 have been met.

2. Consistency with General Plan

On February 16, 1995, the Madera County Planning Department drafted a letter which verified that in 1983, the Planning Commission and Board of Supervisors rezoned and amended the Madera County General Plan and approved Conditional Use Permit No. 83-61 to allow the transfer station. Based upon this information Board staff concludes that the requirements of PRC 50000.5 have been met. (See Attachment 4.)

3. Consistency with Waste Diversion Requirements

LEA Advisory No. 28, advises LEA's that beginning October 1995, any permit submitted for consideration by the Board be accompanied by a statement from the LEA which makes a determination whether there is substantial evidence that the issuance of the proposed permit would prevent or substantially impair the jurisdiction's ability to meet diversion requirements. On February 15, 1996, the LEA indicated this statement would be forthcoming.

4. California Environmental Quality Act (CEQA)

The Madera County Planning Department, acting as the Lead Agency, prepared a Mitigated Negative Declaration (MND) indicating no adverse environmental impact is anticipated from the project; mitigation measures were made a condition of the approval of the proposed project. A Notice of Determination (SCH # 95072094) was filed with the County Clerk on August 28, 1995.

In reviewing these environmental documents which were submitted with the proposed permit, Board staff found the project description to be vague in that it only addressed the expansion of the building. Although Board staff had commented on the Initial Study on August 9, 1995, there was no evidence to indicate that the decision-making body, Madera County Environmental Committee, had considered the comments pertaining to the increase in vehicles and tonnage. Additionally, the proposed permit would allow the operating hours of the facility to be extended from 9:00 a.m. - 5:00 p.m. to 7:00 a.m. - 6:00 p.m. Thursday through Monday, and allow the acceptance of Household Hazardous Waste, which were not included in the project description and environmental evaluation in the Initial Study.

On February 14 and 15, 1996, Board staff telephoned Mr. E.J. Ivaldi of the Madera County Planning Department,

who is the chairman of the Environmental Committee and the contact person for the Lead Agency and had personal knowledge of the facts pertaining to the above mentioned issues. Mr. Ivaldi stated that potential environmental impacts that might result from the proposed increase in vehicles and tonnage, the extended operating hours, and the implementation of a HHW program were considered by the Environmental Committee prior to the adoption of the Negative Declaration and found to be less than significant. Mr. Ivaldi has agreed to include a statement outlining these facts in a clarification letter. Therefore, pending receipt of this letter, Board staff are of the opinion that the CEQA analysis prepared by the Lead Agency for this project will be adequate.

5. Conformance with State Minimum Standards

The LEA has made the determination that the facility's proposed design and operation is in compliance with State Minimum Standards for Solid Waste Handling and Disposal.

Board staff, in conjunction with staff of the LEA, inspected the facility on February 15, 1996. Staff found two violations of the Public Resources Code (PRC); no violation of State Minimum Standards. Issuance of the proposed permit would correct the two PRC violations noted below:

- ▶ PRC Section 44004 - Significant change has occurred at the site; and
- ▶ PRC 44014(b) - The facility is no longer operating within the term and conditions of the existing permit.

STAFF RECOMMENDATION:

Because a revised Solid Waste Facility Permit is proposed, the Board must either concur or object to the proposed permit as submitted by the LEA.

Because the proposed permit was submitted shortly before the due date for the March Permitting and Enforcement Committee agenda items, staff is currently in the process of compiling the documentation to support the recommendation. Staff recommend that the Board adopt Permit Decision No. 96-102, concurring in the issuance of Solid Waste Facility Permit No. 20-AA-0001, providing:

1. A letter of clarification is submitted by the Madera County Environmental Committee indicating the committee considered the potential environmental impacts that might result from the proposed increase in vehicles and tonnage, the extended operating hours, and the implementation of a Household Hazardous Waste program prior to the adoption of the Negative Declaration and found them to be less than significant.
2. The LEA submits a written statement in accordance with LEA Advisory No. 28 indicating there is no evidence that the issuance of the proposed permit would prevent or substantially impair the jurisdiction's ability to achieve the waste diversion goals.

ATTACHMENTS:

1. Location Map
2. Floor Plan
3. Proposed Permit 20-AA-0001
4. AB2296 Finding of Conformance
5. Permit Decision No. 96-102

Prepared by: Virginia Rosales  Phone: 255-4168

Reviewed by: DJ 2/21/96  Suzanne Hambleton 2/21/96  Phone: 255-2453

Approved by: Clinton L. Whitney Phone: 255-2431

Legal Review:  Date/Time: 2/27/96

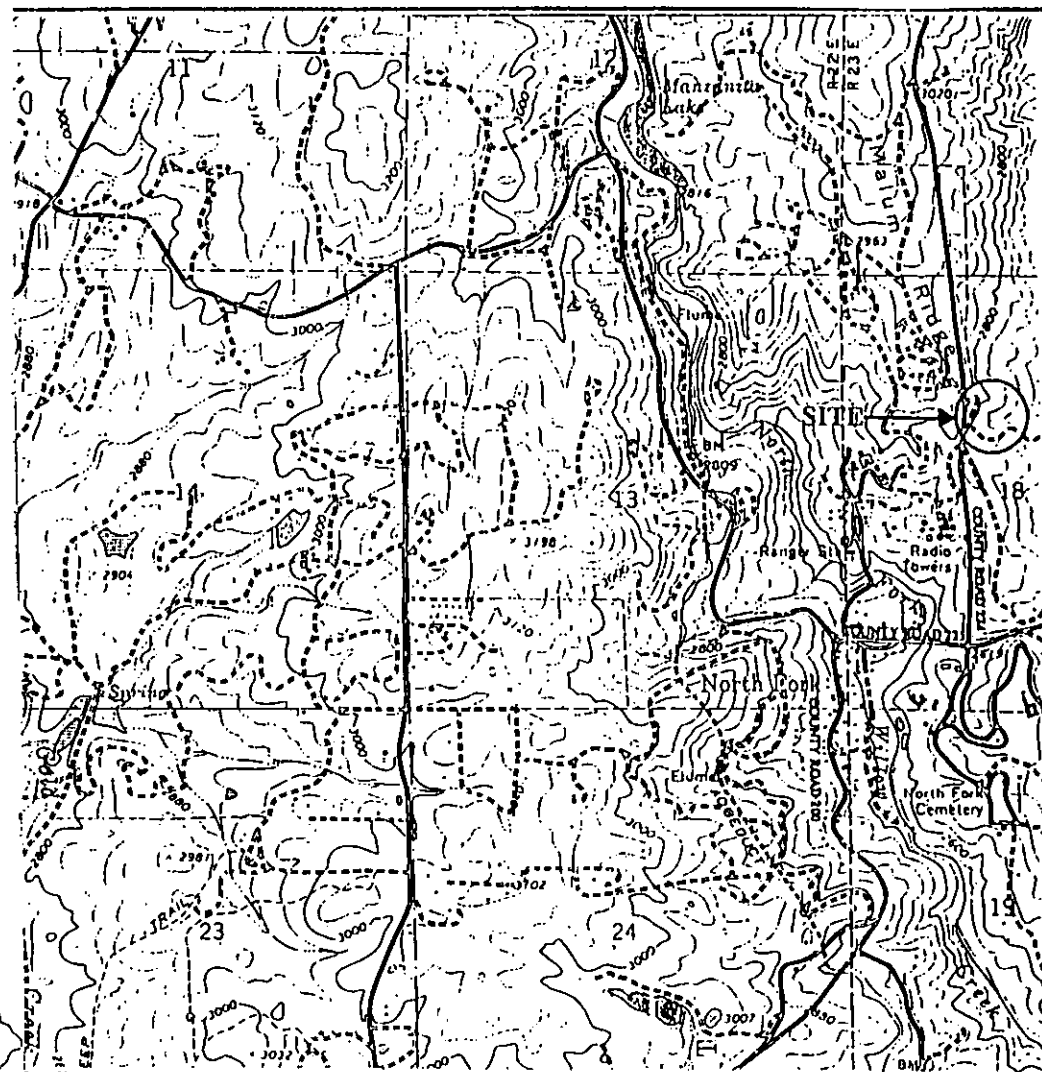


FIGURE 1: SITE LOCATION, NORTH FORK TRANSFER STATION
NORTH FORK, CALIF.
 NE 1/4 MILLERTON LAKE 15' QUADRANGLE
 N3707.5—W11930/7.5

1965
 PHOTOREVISED 1981
 DMA 2058 II NE—SERIES V895

SOLID WASTE FACILITY PERMIT

1. Facility/Permit Number:

20-AA-0001

2. Name and Street Address of Facility:

North Fork Transfer Station
33699 Road 274
North Fork, CA 93643

3. Name and Mailing Address of Operator:

Madera Disposal Systems, Inc. (MDSI)
P.O. Box 414
Madera, CA 93639

4. Name and Mailing Address of Owner:

County of Madera
Department of Engineering and General Services
135 W. Yosemite
Madera, CA 93637

5. Specifications:

a. Permitted Operations:

☐ Composting Facility
(mixed wastes)

☐ Composting Facility
(yard waste)

☐ Landfill Disposal Site

☐ Material Recovery Facility

☐ Processing Facility

☒ Transfer Station

☐ Transformation Facility

☐ Other: _____

b. Permitted Hours of Operation:

Public - 9:00 am to 5:00 pm Thursday through Monday, closed Tuesdays & Wednesdays, New Years Day, Easter, Memorial Day, July 4th, Labor Day, Thanksgiving Day and Christmas

Other - 7:00 am to 6:00 pm, same days as above for cleaning activities, special arrangement loads and Operator/County use

c. Permitted Tons per Operating Day:

Total: 60 Tons/Day

Non-Hazardous - General

60 Tons/Day

Non-Hazardous - Sludge

0 Tons/Day

Non-Hazardous - Separated or commingled recyclables

0 Tons/Day

Non-Hazardous - Other (See Section 14 of Permit)

0 Tons/Day

Designated (See Section 14 of Permit)

0 Tons/Day

Hazardous (See Section 14 of Permit)

0 Tons/Day

d. Permitted Traffic Volume:

Total: 148 Vehicles/Day

Incoming waste materials

144 Vehicles/Day

Outgoing waste materials (for disposal)

4 Vehicles/Day

Outgoing materials from material recovery operations

0 Vehicles/Day

e. Key Design Parameters (Detailed parameters are shown on site plans bearing LEA and CIWMB validations):

	Total	Disposal	Transfer	MRF	Composting	Transformation
Permitted Area (in acres)	10		10			
Design Capacity		cy	50	yd	yd	yd
Max. Elevation (Ft. MSL)						
Max. Depth (Ft. BGS)						
Estimated Closure Date						

The permit is granted solely to the operator named above, and is not transferable. Upon a change of operator, the permit is subject to revocation or suspension. The attached permit findings and conditions are integral parts of this permit and supersede the conditions of any previous issued solid waste facility permits.

6. Approval:

Approving Officer Signature

Jim S. Nishi, REHS II
Name/Title

7. Enforcement Agency Name and Address:

Madera County Environmental Health Department
135 W. Yosemite
Madera, CA 93637

8. Received by CIWMB:

9. CIWMB Concurrence Date:

9

SOLID WASTE FACILITY PERMIT

Facility/Permit Number:

20-AA-0001

12. Legal Description of Facility (attach map with RFI):

NW 1/4 of Section 18, Township 8 South, Range 23 East, Mount Diablo Baseline and Meridian (MDB & M). Assessor's Parcel Number (APN) 060-100-006.

13. Findings:

- This permit is consistent with the most recent approved County Solid Waste Management Plan (CoSWMP 1984 Revision) as per Public Resources Code, Section 50000(a)(2). See Attachment A.
- This permit is consistent with standards adopted by the California Integrated Waste Management Board (CIWMB). Public Resources Code, Section 44010.
- The design and operation of the facility is in compliance with the State Minimum Standards for Solid Waste Handling and Disposal as determined by the LEA.
- The following local fire protection district has determined that the facility is in conformance with applicable fire standards as required in Public Resources Code, Section 44151. See attached addendum to Appendix E.
- A Notice of Determination (NOD), State Clearinghouse (SCH #95072094) was filed with the Office of Planning and Research and with the Office of the Madera County Clerk on August 25, 1995 for this facility which is not exempt from CEQA and in compliance with Section 21108 or 21152 of the Public Resources Code. See Attachment B.
- A County-wide Integrated Waste Management Plan has not been approved by the CIWMB.
- The following authorized agent has made a determination that the facility is consistent with, and designated in, the applicable general plan: Madera County Planning Department in accordance with Public Resources Code, Section 50000.5(a). See Attachment C.
- The following local governing body has made a written finding that surrounding land use is compatible with the facility operation, as required in Public Resources Code, Section 50000.5(b). Madera County Board of Supervisors. See Attachment D.

14. Prohibitions:

The permittee is prohibited from accepting any liquid waste sludge, non-hazardous waste requiring special handling, designated waste, or hazardous waste unless such waste is specifically listed below, and unless the acceptance of such waste is authorized by all applicable permits.

This facility may accept household hazardous wastes recovered through the waste screening program. Used oil, latex paints and antifreeze may be accepted as part of a household hazardous waste collection program and only if all applicable permits and authorizations are obtained. See Condition #17(i).

The permittee is additionally prohibited from the following items:

Scavenging, burning of any kind, receiving septic tank pumpings, dead animals, untreated medical wastes, incinerator ash, fuel contaminated soils, radioactive materials, and other wastes not described in section 5(C) of this document.

15. The following documents also describe and/or restrict the operation of this facility (insert document date in space):

	Date		Date
<input checked="" type="checkbox"/> Report of Facility Information	11/95	<input checked="" type="checkbox"/> Contract Agreements - operator and contract #5365-C-94	6/94
<input checked="" type="checkbox"/> Land Use Permits and Conditional Use Permits	12/83	<input type="checkbox"/> Waste Discharge Requirements	NA
<input type="checkbox"/> Air Pollution Permits and Variances	NA	<input type="checkbox"/> Local & County Ordinances	NA
<input checked="" type="checkbox"/> Mitigated Negative Declaration ND 95-52	7/95	<input type="checkbox"/> Final Closure & Post Closure Maintenance Plan	NA
<input type="checkbox"/> Lease Agreements - owner and operator	NA	<input type="checkbox"/> Amendments to RFI	NA
<input type="checkbox"/> Preliminary Closure/Post Closure Plan	NA	<input type="checkbox"/> Other (list): EPA Generator ID #CAF111000316	9/94
<input type="checkbox"/> Closure Financial Responsibility Document	NA		

SOLID WASTE FACILITY PERMIT

Facility/Permit Number:

20-AA-0001

16. Self Monitoring:

- a. Results of all self-monitoring programs as described in the Report of Facility Information, will be reported as follows:

Program	Reporting Frequency	Agency Reported To
1. Daily weight/volume records.	Annually	LEA
2. Log of special occurrences.	Annually	LEA
3. Volume of sanitary and process wastewater removed from the site.	Annually	LEA
4. Log of station and equipment maintenance.	Upon Request	LEA
5. Log of hazardous waste (uncovered from waste screening) storage, handling and removal.	Annually and Upon Request	LEA
6. Log of complaints received by the operator.	Within 1 business day	LEA
7. Water potability test results.	Upon Request	LEA
8. Log of cleaning for the following: floor of the main building; all waste containers; and all other station cleaning duties not done on a daily basis.	Upon Request	LEA
9. Log of inspection and cleaning of empty roll-off boxes	Upon Request	LEA

SOLID WASTE FACILITY PERMIT

Facility/Permit Number:

20-AA-0001

17. LEA Conditions:

- a. Any changes that would cause the design or operation of the facility not to conform to the terms and conditions of the permit are prohibited. Any changes would require a permit modification or revision prior to implementation of the change.
- b. This permit is subject to review by the Local Enforcement Agency and be modified, suspended or revoked for sufficient cause after a hearing.
- c. Any additional information, as may be required by the Local Enforcement Agency, must be provided.
- d. The facility shall comply with all federal, state, and local requirements, and enactments, including all mitigation measures given in any certified environmental document filed pursuant to Public Resources Code, Section 21081.6.
- e. The facility must comply with the State Minimum Standards for Solid Waste Handling and Disposal.
- f. The following tasks contained within the Report of Station Information shall be completed by March 15, 1996 unless otherwise approved in writing by the LEA:
 - 1) replace deteriorated facility signs
 - 2) repair damaged or deteriorated internal roads
 - 3) place a fire extinguisher in the main building
 - 4) install a retractable metal guard rail across the edge of the tipping floor
- g. All proposed station modifications shall be completed within 6 months of a revised Solid Waste Facilities Permit.
- h. Cleaning shall be according to the following schedule or as otherwise approved in writing by the LEA: daily facility cleaning of loose materials and litter, sweeping and spot washing; weekly cleaning of all boxes, bins, pits or other waste containers as specified by the LEA, and water washing the floor of the main building; roll-off boxes cleaned as necessary or at the direction of the LEA.
- i. Temporary storage of hazardous wastes either discovered during the load screening program or received during a properly authorized household hazardous waste collection event shall be stored in an appropriate unit approved by the LEA and storage shall not exceed 90 days. All containers shall be properly labeled and dated.
- j. A copy of this permit shall be maintained at the facility, so that it will be available to facility and regulatory personnel upon request.
- k. All stored waste shall be contained within the building or in covered trailers.

SOLID WASTE FACILITY PERMIT

Facility/Permit Number:

20-AA-0001

17. LEA Conditions: (continued)

1. The following conditions and mitigated measures as described in the Mitigated Negative Declaration (ND-95-52) are hereby incorporated as conditions of this permit:
 - 1) Any sewage generated must be discharged into an Environmental Health Department approved sewage system.
 - 2) Any future design or operational changes are not sanctioned until incorporated into a revised Solid Waste Facility Permit.
 - 3) Noise from the operation shall not exceed the State Model Noise Ordinance levels. If surrounding properties report excessive noise levels from this operation, this permit shall be subject to additional conditions in this area to further mitigate the noise impact.

State of California

California Environmental
Protection Agency

MEMORANDUM

To: Suzanne Hambleton
Permits Branch, South
Permitting and Enforcement Division

Date: May 25, 1995

From: Tabetha Willmon
Tabetha Willmon
Office of Local Assistance
Diversion, Planning and Local Assistance Division
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Subject: Request for Conformance Finding for North Fork Transfer
Station, Facility Number 20-AA-0001

The proposed project involves a revised solid waste facilities permit for the North Fork Transfer Station (NFTS) located within the unincorporated portion of the County of Madera. The primary activity at the NFTS is receiving mixed wastes and depositing it into trailers for transfer to the Mammoth MRF, located at the Fairmead Landfill. Salvaging activities at the site are minimal, because resource recovery and thorough waste screening occur at the Mammoth MRF.

The proposed project is located on a 10 acre area of land owned by the County of Madera. According to its proposed solid waste facility permit, the maximum permitted tonnage is 80 tons per day. The NFTS is designed to receive mixed municipal solid waste (residential, commercial, industrial, and self-haul), non-hazardous industrial wastes, construction/demolition wastes, agricultural wastes, animal wastes, forest product wastes, inert materials, and tires.

PRC 44009: Waste Diversion Requirement

Board staff have reviewed the proposed North Fork Transfer Station Permit, the Report of Station Information (RSI), and the Preliminary Draft Source Reduction Recycling Elements (SRRE) for the Cities of Madera and Chowchilla, and the unincorporated portion of the County of Madera. The North Fork RSI indicates that wastes being transferred from the NFTS will be taken to the Mammoth MRF, where resource recovery occurs.

Suzanne Hambleton
20-AA-0001
May 25, 1995

There is no evidence in the record that would indicate that this project would prevent or substantially impair the achievement of waste diversion mandates. Therefore, staff concludes the requirements of PRC Section 44009 have been met.

PRC 50000: Conformance with CoSWMP

The NFTS was originally established as a landfill in the 1960s. In the early 1970s, however, the County changed the operation of the site to a transfer station and sanitary landfill for construction debris and yard waste such as tree stumps. The NFTS is identified in the 1984 Madera County Solid Waste Management Plan (CoSWMP) as one of two transfer facilities operating in Madera County.

Based on this information staff concludes that the requirements of PRC Section 50000 have been met.

PRC 50000.5: Consistency with the General Plan

On February 16, 1995, the Madera County Planning Department drafted a letter which verified that in 1983, the Planning Commission and Board of Supervisors rezoned and amended the Madera County General Plan and approved a Conditional Use Permit (#83-61, dated 8/17/83) to allow the transfer station. The RSI for the NFTS also includes a map of surrounding land use, which include Public Open Space (POS), Rural Mountain (RM), Rural Mountain Single Family (RMS), and Industrial, Heavy (IH).

Based on this information staff concludes that the requirements of PRC Section 50000.5 have been met.

Summary of Conclusions

Based upon the review of submitted documents, the proposed permit revision conforms with the provisions of AB 2296 as follows:

1. The permit is consistent with the State's waste diversion requirements (PRC 44009).
2. The facility is identified and described in the 1984 Madera County Solid Waste Management Plan (PRC 50000).
3. The facility is consistent with the County of Madera General Plan (PRC 50000.5).

If you have any questions or comments, please call Tabettha Willmon at (916) 255-2659.

ATTACHMENT 5

California Integrated Waste Management Board
Permit Decision No. 96-102
March 27, 1996

WHEREAS, the County of Madera is the land owner, and the North Fork Transfer Station is operated under contract by Madera Disposal Systems, Inc. (MDSI), who owns all buildings and equipment located at the site; and

WHEREAS, the LEA entered into a Stipulated Order of Compliance and Agreement (STIP) with Madera County Engineering Department and MDSI most recently on October 31, 1995; and

WHEREAS, the STIP ordered the owner/contract operator to submit an application for a revised Solid Waste Facility Permit to the LEA by November 30, 1995; and

WHEREAS, on December 21, 1995 the LEA accepted, as complete, an application for a revised Solid Waste Facility Permit; and

WHEREAS, the LEA has submitted to the Board for its review and concurrence in, or objection to, a revised Solid Waste Facility Permit for the North Fork Transfer Station; and

WHEREAS, the revised permit will allow for an increase in tonnage from approximately 25 tons per day (TPD) to 60 TPD, thereby, changing the operations from a small volume to a large volume transfer station; and

WHEREAS, the Madera County Planning Department, acting as Lead Agency for the California Environmental Quality Act (CEQA), prepared a Mitigated Negative Declaration, State Clearinghouse No. 95072094, indicating no adverse environmental impacts were anticipated from the project. Board staff found the project description to be vague in that it only addressed the expansion of the building; and

WHEREAS, the Madera County Environmental Committee has submitted a letter of clarification indicating the committee considered the potential environmental impacts that might result from the proposed increase in vehicles and tonnage, the extended operating hours, and the implementation of a Household Hazardous Waste Program prior to the adoption of the Negative Declaration and found them to be less than significant; and

WHEREAS, Board staff have determined that the CEQA analysis prepared by the Lead Agency is adequate for the Board's evaluation of the proposed project and for those project activities which are within this Agency's expertise and/or powers or which are required to be carried out or approved by the Board; and

WHEREAS, Board staff have evaluated the proposed permit and supporting documents for consistency with the standards adopted by the Board; and

WHEREAS, on February 15, 1996 during a joint inspection of the facility Board staff and staff of the LEA, no violations of State Minimum Standards were documented; and

WHEREAS, the Board finds that all state and local requirements regarding consistency with the Madera County General Plan, and conformance with the County Plan have been met; and

WHEREAS, the LEA has submitted a written statement in accordance with LEA Advisory No. 28 indicating there is no evidence that the issuance of the proposed permit would prevent or substantially impair the jurisdiction's ability to achieve the waste diversion goals.

NOW, THEREFORE, BE IT RESOLVED that the California Integrated Waste Management Board concurs in the issuance of Solid Waste Facilities Permit No. 20-AA-0001.

CERTIFICATION

The undersigned Executive Director of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on March 27, 1996.

Dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
Permitting and Enforcement Committee
March 6, 1996

AGENDA ITEM 3

ITEM: CONSIDERATION OF ADOPTION OF THE NEGATIVE DECLARATION AND CONCURRENCE IN THE ISSUANCE OF A NEW SOLID WASTE FACILITY PERMIT FOR THE CHESTER/LAKE ALMANOR SOLID WASTE TRANSFER STATION, PLUMAS COUNTY

I. BACKGROUND:

Facility Facts

Name: Chester/Lake Almanor Solid Waste Transfer Station, Facility No. 32-AA-0022

Facility Type: Small Volume Transfer Station

Location: Intersection of Highway 36 and County Road 322, Chester

Area: 3.75 acres

Setting: Forest land

Operational Status: Active

Permitted Volume: 99 cubic yards per day

Owner/Operator: Plumas County Department of Public Works
Tom Hunter, Director

LEA: Lassen County Public Health Department
Doug Ames, Director of Environmental Health

Proposed Project

The Plumas County Department of Public Works is requesting a Solid Waste Facility Permit (SWFP) for the new Chester/Lake Almanor Solid Waste Transfer Station.

II. SUMMARY:

Prior Board Action

The LEA submitted a proposed permit to the Board for consideration on November 16, 1995. The last day the Board could act was January 15, 1996. However, Board staff could not find sufficient documentation in the permit package to support the Plumas County Planning Department's finding that the project would not result

in any significant environmental impacts. Therefore, the Board directed staff to complete an initial study for the proposed permit.

Compliance History

This facility began operating on September 25, 1995 without a SWFP. The LEA issued a Notice and Order to the operator in October, 1995 requiring the operator to obtain a SWFP within 150 days.

Project Description

The Chester/Lake Almanor Solid Waste Transfer Station is located at the intersection of Highway 36 and County Road 322 in Chester. The facility covers 3.5 acres and the land is zoned TP-Z, timber production. There are no structures within 1000 feet of the facility, which is operated by the Plumas County Department of Public Works. Currently the land is owned by Roseburg Forest Products; however, Plumas County is in the process of purchasing the property. Plumas County has a contract with Feather River Disposal to operate the transfer station. The facility will be open to the public Friday through Tuesday from 9 a.m. to 5 p.m. during the summer and from 9 a.m. to 4 p.m. during the winter. Feather River Disposal (franchise hauler) will have access to the facility 24 hours a day 7 days per week. The facility will be permitted to accept a maximum of 99 cubic yards of waste per day. The waste will consist of 90 percent municipal waste from residential, commercial, and industrial generators, and approximately 10 percent construction/demolition debris. The service area for this facility will be the Lake Almanor basin, including Hamilton Branch, Canyon Dam Peninsula, Prattville, Almanor, and Chester. Waste that was being disposed in the Chester Landfill is now being delivered to this facility and is then hauled to the Lockwood Landfill in Nevada for disposal.

Environmental Controls

Environmental controls for dust, noise, odor, vectors, traffic, and litter are described in the April, 1995 Plan of Operation. The LEA and Board staff have determined that these controls, if followed, will continue to allow the facility to comply with State Minimum Standards for Solid Waste Handling and Disposal.

Resource Recovery

A large bin will be on site for the temporary storage of recyclable wastes such as batteries, anti-freeze, and latex paint. A 500 gallon above ground storage tank will be used at the site for storage of used oil, and scrap metal will also be accepted.

III. ANALYSIS:

The LEA has submitted a proposed permit to the Board. Staff have reviewed the proposed permit and supporting documentation and have made the following findings:

1. Conformance with County Plan

The LEA has determined that the permit is consistent with the approved Non-Disposal Facility Element (NDFE) and consistent with the Local Task Force PRC Section 50000 (d) and (c). Board staff have determined that this facility was included in the final NDFE that was approved by the County Board of Supervisors, the City of Portola, and the Board. Because the NDFE includes a site identification and description of the facility, it meets the requirements of PRC Section 50000 (Attachment 5).

2. Consistency with General Plan

The Plumas County Board of Supervisors by adopting the Conditional Use Permit has determined that the surrounding land use is compatible with the facility operation, and the use is consistent with the County Plan. The LEA has found that the proposed facility is consistent with, and is designated in, the applicable General Plan. Board staff agree with said finding.

3. Consistency with Waste Diversion Requirements

LEA Advisory No. 28 advises LEA's that beginning in October 1995, any permits submitted for consideration by the Committee and Board must be accompanied by a letter from the LEA making a determination whether there is substantial evidence that issuance of the proposed permit would prevent or substantially impair the jurisdiction's ability to meet diversion requirements. The LEA submitted a letter confirming that "Upon review of contracts pertaining to the Chester/Lake Almanor Transfer Station...the facility will neither prevent or impair Plumas County from achieving its 939 goals". The analysis used in making this determination is included as Attachment 4.

4. California Environmental Quality Act (CEQA)

Prior to concurring in a SWFP, the Board must comply with the requirements of CEQA. Plumas County determined that there is no possibility that the activities allowed by the permit will have a significant effect on the environment, and are categorically exempt. These findings are stated in the Notices of Exemption filed by the County which cite CEQA Guidelines, sections CCR 15061(b)(3), and 15301. Board staff were unable to make the same determination regarding the activities described in the proposed permit based on the

information contained in the permit package submitted by the LEA. Board staff required additional information in order to determine the appropriate environmental analysis required to fully comply with the requirements of CEQA.

Section 15052(a)(1) of the CEQA Guidelines allows a responsible agency when called upon to grant an approval for a project to assume the role of lead agency when a lead agency did not prepare an environmental document for a project, and the statute of limitations has expired for a challenge to the action of the appropriate lead agency. The Board is a responsible agency called upon to approve the proposed permit. Plumas County, the lead agency, did not prepare an environmental document, and the statute of limitations expired prior to November 1994.

Section 15052(b) of the CEQA Guidelines indicates that the same time limits applicable to a lead agency shall apply to the actions of the agency assuming the lead agency duties.

Section 15111 of the CEQA Guidelines states that if the lead agency does not have time to finish the CEQA process within the permit time limit, they are not required to accept an application for filing until such time as progress is sufficient to enable the lead agency to finish CEQA compliance for the project. Board staff have determined that the acceptance of the proposed permit is the equivalent to accepting an application for filing.

Environmental Review Section staff prepared and circulated a Draft Initial Study on January 3, 1996 to gather information. Based on information gathered during this period, staff determined that impacts resulting from the project would not be significant. ERS staff prepared and circulated a final Initial Study and proposed Negative Declaration on January 31, 1996. Since the State agency review period does not end until March 1, 1996, staff will present any comments and response to comments at the Committee meeting. The public review period does not end until March 7, 1996. Any comments received after the Committee meeting will be provided to the full Board with any required responses.

5. Consistency with State Minimum Standards

Board and LEA staff found the facility to be in compliance with State Minimum Standards during their joint inspection on November 28, 1995.

IV. STAFF RECOMMENDATION:

Because a new Solid Waste Facility Permit is proposed, the Board must either concur with or object to the proposed permit as submitted by the LEA.

Staff recommend that the Board adopt the Negative Declaration, Resolution No. 96-104, and Permit Decision No. 96-105, concurring in the issuance of Solid Waste Facility Permit No. 32-AA-0022.

V. ATTACHMENTS:

1. Location Map
2. Site Map
3. Permit No. 32-AA-0022
4. LEA Prevent or Impair Finding
5. AB 2296 Finding of Conformance
6. Resolution No. 96-105
7. Permit Decision No. 96-104
8. Proposed Negative Declaration

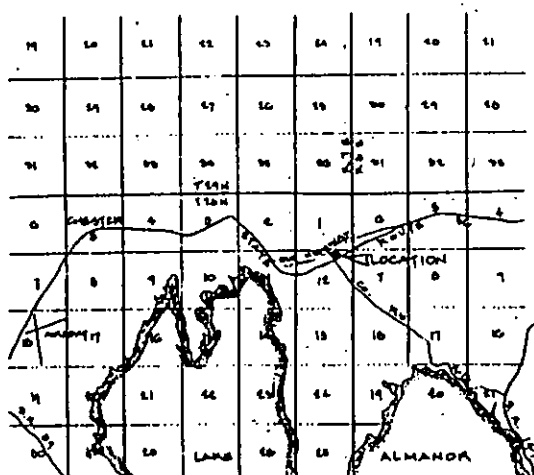
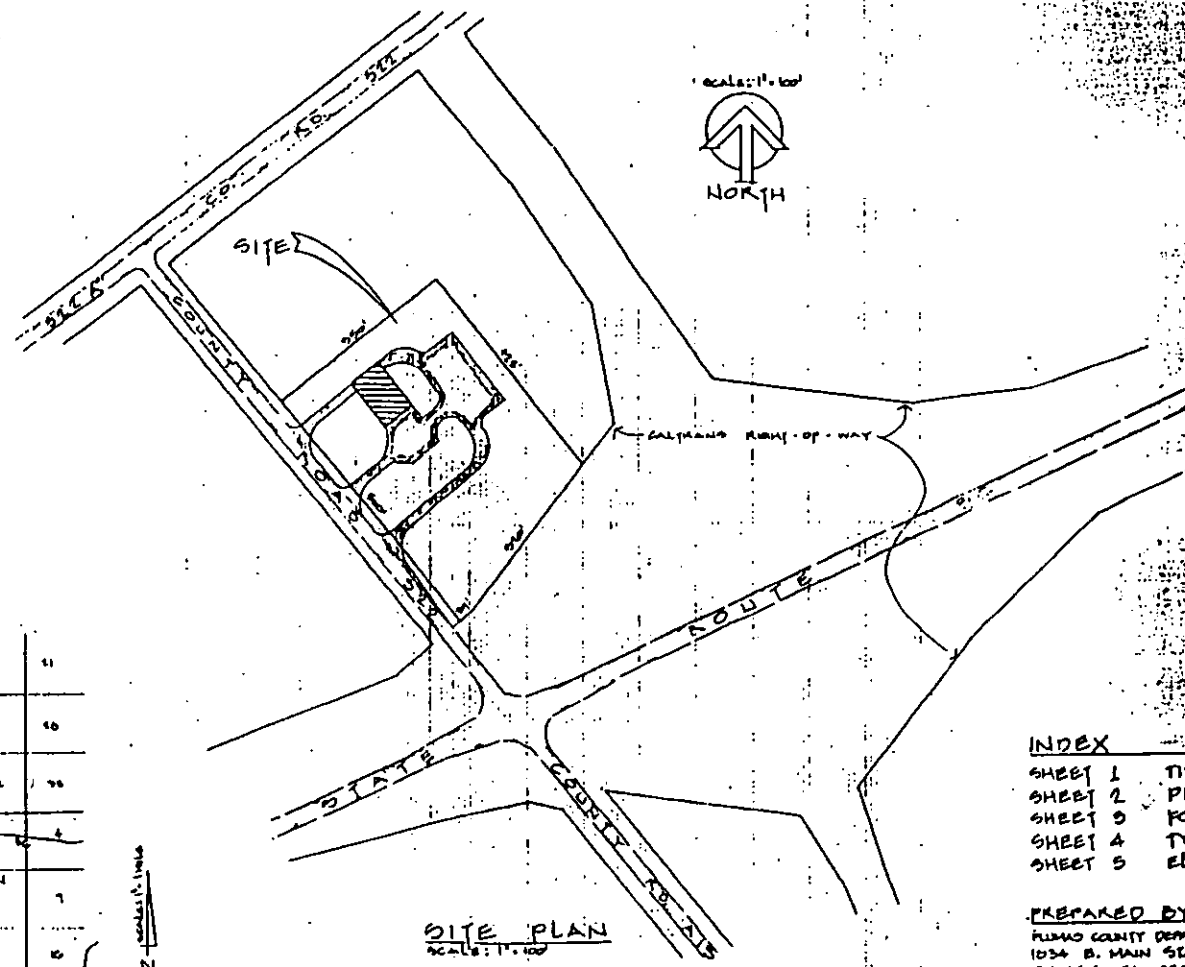
Prepared by: Sadie Galos *SA 2-21-96* Phone: 255-4163

Reviewed by: *3/27/96* Don Bier/Cody Begley/Mark deBie *C.B.* Phone: 255-4165

Approved by: Clint Whitney Phone: 255-2431

Legal Review: *Kathryn J. Jobier* Date/Time: 2/27/96

PLANS FOR THE CONSTRUCTION OF:
CHESTER / LAKE ALMANOR TRANSFER STATION
PLUMAS COUNTY, CALIF.



LOCATION MAP

INDEX	
SHEET 1	TITLE SHEET
SHEET 2	PLOT PLAN
SHEET 3	FOUNDATION/FLOOR PLAN
SHEET 4	TYPICAL SECTIONS
SHEET 5	ELEVATIONS

PREPARED BY
PLUMAS COUNTY DEPARTMENT OF PUBLIC WORKS
1034 B. MAIN ST.
QUINCY, CA 95971

APPROVED:
[Signature]
JOHN HUNTER
PLUMAS COUNTY
NOV 20 1985

CHESTER / LAKE ALMANOR
TRANSFER STATION

TITLE SHEET



SOLID WASTE FACILITY PERMIT

1. Facility/Permit Number:

32-AA-0022

2. Name and Street Address
of Facility:Chester/Lake Almanor Solid Waste
Transfer Station
Intersection of Hwy 36 & Co. Rd. 322
Chester, California

Section 12, T.28N., R.7E. MDB&M

3. Name and Mailing Address of
Operator:Plumas Co. Public Works Department
1834 E. Main St.
Quincy, CA 95971

4. Name and Mailing Address of Owner:

Plumas Co. Public Works Department
1834 E. Main St.
Quincy, CA 95971

Property Owner:

Roseburg Forest Products
P.O. Box 680, Weed, CA 96094

5. Specifications:

a. Permitted Operations:

☐ Composting Facility
(mixed wastes)☐ Processing Facility☐ Composting Facility
(yard waste)☒ Transfer Station (Small Volume)☐ Landfill Disposal Site☐ Transformation Facility☐ Material Recovery Facility☐ Other:

b. Permitted Hours of Operation:

Friday through Tuesday, 9:00 am to 5:00 pm, summer, 9:00 am to 4:00 pm, winter, for the public; 24 hours per
day, 7 days per week for the operator/franchisee

c. Permitted Tons per Operating Day:

Non-Hazardous - General

Non-Hazardous - Sludge

Non-Hazardous - Separated or commingled recyclables

Non-Hazardous - Other (See Section 14 of Permit)

Designated (See Section 14 of Permit)

Hazardous (See Section 14 of Permit)

Total: 99 CY/Day

99 CY/Day

N/A Tons/Day

* CY/Day

* CY/Day

N/A Tons/Day

* CY/Day

(* See endnote #1, Page 4)

d. Permitted Traffic Volume:

Total: 27 Vehicles/Day

Incoming waste materials

Outgoing waste materials (for disposal)

Outgoing materials from material recovery operations

25 Vehicles/Day

2 Vehicles/Day

* Vehicles/Day

(* See endnote #2, Page 4)

e. Key Design Parameters (Detailed parameters are shown on site plans bearing LEA and CIWMB validations):

	Total	Disposal	Transfer	MRF	Composting	Transformation
Permitted Area (in	3.75 a	a	3.75 a	a	a	a
Design Capacity		cy	720 cy	tpd	tpd	tpd
Max. Elevation (Fl. MSL)		ft				
Max. Depth (Fl. BGS)		ft				
Estimated Closure Date						

The permit is granted solely to the operator named above, and is not transferable. Upon a change of operator, this permit is no longer valid. Further, upon a significant change in design or operation from the described herein, this permit is subject to revocation or suspension. The attached permit findings and conditions are integral parts of this permit and supersede the conditions of any previous issued solid waste facility permits.

6. Approval:

Approving Officer Signature

Doug Ames, Director of Environmental Health

Name/Title

7. Enforcement Agency Name and Address:

Lassen County Public Health Department
565 Hospital Lane
Susanville, CA 96130

Received by CIWMB:

NOV 16 1995

9. CIWMB Concurrence Date:

10. Permit Review Due Date:

11. Permit Issued Date:

24

SOLID WASTE FACILITY PERMIT

Facility/Permit Number:

32-AA-0022

12. Legal Description of Facility (attach map with RFI):
Section 12, Township 28 North, Range 7 East, MDB&M

13. Findings:

- a. This permit is consistent with the approved Nondisposal Facility Element of the County-wide Integrated Solid Waste Management Plan (CIWMP), PRC, Section 50001. This permit is also consistent with local task force pursuant to PRC, Section 50000(d) and (c)
- b. This permit is consistent with standards adopted by the California Integrated Waste Management Board (CIWMB), Public Resources Code, Section 44010.
- c. The design and operation of the facility is in compliance with the State Minimum Standards for Solid Waste Handling and Disposal as determined by the LEA.
- d. The following local fire protection district has determined that the facility is in conformance with applicable fire standards as required in Public Resources Code, Section 44151. Plumas County Office of Emergency Services/Fire Warden
- e. An environmental determination (i.e. Notice of Determination) is filed with the State Clearinghouse for all facilities which are not exempt from CEQA and documents pursuant to Public Resources Code, Section 21081.6.
- f. A County-wide Integrated Waste Management Plan has (in part) been approved by the CIWMB.
- g. The following authorized agent has made a determination that the facility is consistent with, and designated in, the applicable general plan: Public Resources Code, Section 50000.5(a). Plumas Co. Board of Supervisors
- h. The following local governing body has made a written finding that surrounding land use is compatible with the facility operation, as required in Public Resources Code, Section 50000.5(b). Plumas Co. Board of Supervisors

14. Prohibitions:

The permittee is prohibited from accepting any liquid waste sludge, non-hazardous waste requiring special handling, designated waste, or hazardous waste unless such waste is specifically listed below, and unless the acceptance of such waste is authorized by all applicable permits. This facility may accept waste oil, lead acid batteries, antifreeze, household hazardous waste, waste tires, brush and greenwaste, and scrap metal/appliances (see also Conditions 17 f & g).

The permittee is additionally prohibited from the following items: burning of waste; allowing water to contact with waste; discharge of waste outside of bins or other designated areas; accepting liquid waste, large dead animals, and hot ashes; scavenging.

15. The following documents also describe and/or restrict the operation of this facility (insert document date in space):

	Date		Date
<input checked="" type="checkbox"/> Report of Facility Information		<input checked="" type="checkbox"/> Contract Agreements	
Plan of Operation	April 1995	- operator and contract	February 21, 1995
<input checked="" type="checkbox"/> Land Use Permits and Conditional		<input type="checkbox"/> Waste Discharge Requirements	
Use Permits SUP 7-94/95-01	June 12, 1995	<input type="checkbox"/> Local & County Ordinances	
<input type="checkbox"/> Air Pollution Permits and Variances		<input type="checkbox"/> Final Closure & Post Closure	
<input checked="" type="checkbox"/> EIR or Negative Declaration		Maintenance Plan	
NOE	Filed May 15, 1995	<input type="checkbox"/> Amendments to RFI	
<input type="checkbox"/> Lease Agreements -		<input checked="" type="checkbox"/> Other (list):	
owner and operator		EPA Generator ID # CAH-111000439	
<input type="checkbox"/> Preliminary Closure/Post Closure Plan			
<input type="checkbox"/> Closure Financial Responsibility Document			

SOLID WASTE FACILITY PERMIT

Facility/Permit Number:

32-AA-0022

Self Monitoring:

a. Results of all self-monitoring programs as described in the Report of Facility Information, will be reported as follows:

Program	Reporting Facility	Agency Reported To
Weight/Volume Records	Annually	Local Enforcement Agency
Special Occurrences	Annually	Local Enforcement Agency

SOLID WASTE FACILITY PERMIT

Facility/Permit Number:

32-AA-0022

17. LEA Conditions:

- a. Any changes that would cause the design or operation of the facility not to conform to the terms and conditions of the permit are prohibited. Any changes would require a permit modification or revision prior to implementation of the change.
- b. This permit is subject to review by the Local Enforcement Agency and be modified, suspended or revoked for sufficient cause after a hearing.
- c. Any additional information, as may be required by the Local Enforcement Agency, must be provided.
- d. The facility shall comply with all federal, state, and local requirements and enactments, including all mitigation measures given in any certified environmental document filed pursuant to Public Resources Code Section 21081.3.
- e. The facility must comply with the State Minimum Standards for Solid Waste Handling and Disposal.
- f. The facility is permitted to receive the following non-hazardous wastes: mixed municipal (including residential, commercial, and industrial), construction/demolition, tires (no more than 499 tires on site at any one time), brush and greenwaste, white goods and salvaged materials.
- g. Salvaging and recycling are permitted, so long as the activities are consistent with CCR 17887 through 17892. Included in these activities may be the storage, handling and transfer of household hazardous waste or other wastes that are, or may be, prohibited from landfill disposal, and provided that the materials are segregated from other general wastes destined for disposal and are stored, handled and transferred in accordance with all applicable laws, regulations and approvals or permits by the LEA or other agencies with regulatory or permitting authority.
- h. This permit reflects construction and operation of a new enclosed small volume transfer station to accommodate long haul of solid waste to the Lockwood, Nevada landfill or other regional facility and the scaling down of landfill operations at the Chester Landfill.

ENDNOTES:

1. No maximum permitted daily volume has been established for separated or commingled recyclables, other wastes requiring special handling (such as tires, appliances, and brush and greenwaste) or for household hazardous wastes. Volumes of these materials are generally low and quite variable. The facility will be able to handle more than any maximum daily volume that could or would come from within the facility's service area.
2. No permitted traffic volume has been established for outgoing materials from material recovery operations. As mentioned above, the volumes of these materials are generally low and variable. Removal of the materials is infrequent. The facility will be able to handle more than any maximum outgoing salvaged material traffic that could or would come from salvage activities at the facility.

---END---

SOLID WASTE LOCAL ENFORCEMENT AGENCY

REPRESENTING: LASSEN, MODOC, PLUMAS, & SIERRA COUNTIES
 LASSEN COUNTY PUBLIC HEALTH DEPARTMENT
 HOSPITAL LANE SUSANVILLE, CA 96130
 (916) 251-8183

November 13, 1995

FACILITY FILE CARBON COPY
 Proposed Permit
 ORIGINAL TO FILE # my drawer

SUBMITTED BY WNEA DATE 11-17-95

COPY TO 32 AA0022

✓ COPY TO CB/IK

COPY TO SH/EN

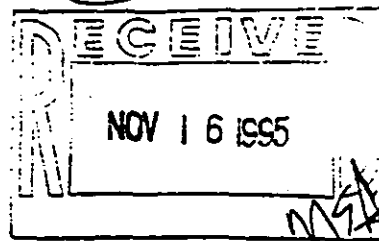
Russ Kanz

Permits Branch

California Integrated Waste Management Board

8800 Cal Center Drive

Sacramento, CA 95826



RE: Proposed Solid Waste Facility Permit, Chester/Lake Almanor Solid Waste Transfer Station,
 Facility Number 32-AA-0022

Dear Mr. Kanz:

Enclosed please find a Proposed Solid Waste Facility Permit for the Chester/Lake Almanor Solid Waste Transfer Station. Following are responses to your comments on the permit and Plan of Operation received November 2, 1995

Plan of Operation

1. The difference in the facility name is that the Plan of Operation identifies the facility as the Chester/Lake Almanor Transfer Station and the SWFP Application and draft SWFP identify the facility as the Chester/Lake Almanor *Solid Waste* Transfer Station. The application is the most recent and the over riding document of the two submitted by the operator. Therefore the SWFP reflects the information in the application. Since the discrepancy is insignificant, creating no confusion over the name or identity of the facility, the LEA is not requesting the operator to amend the Plan of Operation at this time.

The Plumas County Public Works Department is in the process of purchasing the land (transfer station parcel) from the current owner, Roseburg Forest Products. Thus, the Plumas County Public Works Department will become the land owner as indicated in the Plan of Operation within the near future, but Roseburg Forest Products signed the application for the SWFP as the current land owner. The facility improvements are already owned by the Plumas County Public Works, which in the past is what you have had me put on the SWFP as the facility owner. I put both the facility (improvements) owner and the current land owner on the permit.

Upon verification with the facility operator on November 6, 1995, the facility and parcel being acquired by the County is 3.75 acres, as identified in the Plan of Operation. The proposed SWFP now reflects the same. The operator and current land owner will not be requested to resubmit an application to address this minor error. This note will serve to clarify the discrepancy. However, permitted solid waste facility acreage could have been less than total facility/parcel acreage without significant concern.

2. Prior to the 1992 SWFP Application form revision, there was no Site Capacity in Yards item under the Facility Information section of the SWFP Application. The 1992 form revision provides no

direction regarding this item on the reverse side under Instructions for Completing the Application. The five transfer station permits I have processed in response to applications on the 1992 revision have handled this item in a couple of different ways, including leaving the item blank. None of the previous applications had been commented on by the CIWMB staff regarding this item.

This item actually appears to be intended for the Design Capacity (volumetric), in cubic yards, for disposal facilities (landfills) under the Key Design Parameters section of the SWFP. The Design Capacity item of the Key Design Parameters under Transfer (operations) indicates that the appropriate parameter is Tons per Day. It has not been clarified as to whether this is the same as the Permitted Tons per Day, some total design capacity tons per day that could theoretically be handled by the facility, or the total bin or solid waste storage capacity at the facility. One of the 6 transfer stations permits I have processed in the last 2 years (one in response to an application on the pre-1992 application form) lists the total capacity of the waste bins on site expressed as the theoretical maximum Tons per Day that could be handled at the site, which had to be clarified with an endnote to differentiate from the Permitted Tons per Day and the maximum of 100 cubic yards per day for a small volume transfer station. Another lists the Permitted Tons per Operating Day as the Design Capacity. Four of the permits, including this Chester/Lake Almanor Transfer Station SWFP, listed the total bin/storage capacity in cubic yards.

The total bin/storage capacity of the Chester/Lake Almanor Solid Waste Transfer Station is 720 cubic yards as identified on page 2 of the Plan of Operation, not the 590 that you indicated. The 500 cubic yards was inadvertently placed on the application as that was the amount (per day) used for East Quincy which translated to the 85 Permitted Tons per Operating Day. Regardless of what was indicated on the application, my draft and proposed SWFP indicates the 720 cubic yards of total container/storage capacity of the facility.

6. Leachate will not leak from the transfer/long haul trucks parked in the loading bay. The trucks are loaded from the top, and the bottom and sides have been designed and constructed to be water tight. The loading bay is under the roof of the facility building, so no rain water can fall onto the bay or the trucks. The ramp into and out of the bay is at 7% grade (the bay itself is level). Any surface runoff upgrade of the bay is intercepted by the storm drain at the end of the ramp outside of and before it can enter the bay (see Plot Plan 2 and Traffic Plan 2A). The only possible contact that rain or outside facility drainage water could have with waste would be as it flowed over the site and came into contact with any small amounts of litter that may be on the ground until collected at the end of each operating day (see POO pages 13 and 14 and facility maps). All material storage bins are washed down when emptied at the Feather River Disposal yard in Quincy (see POO page 14).

No leachate should be generated in or from the loading bay, as discussed above. If any minor amounts of leachate were generated, it would probably evaporate on the level bay floor before leaving the bay. However, if any amount ever did flow out, it would flow down the ramp towards the storm drain before entering the County Road, but again would evaporate or be absorbed by drainage ditch soil. The nearest surface water source is 800 feet from the facility.

The tipping and storage area is a completely enclosed area. Tipping floor wash down and any water/leachate in the waste drains to the self-contained drain sump. Generally, all this water is absorbed by the waste. If any free water were to accumulate, it will be pumped by a septic pump truck and hauled to a sewage treatment plant (see POO page 13).

Finally, the Central Valley Regional Water Quality Control Board (Carole Crowe) has been contacted and consulted regarding this project on several occasions. Input received during the CEQA process has been discussed and clarified. The CVRWQCB currently has no concerns with or requirements for this facility. The RWQCB's have primary responsibility and authority for leachate and water quality concerns.

10. A revised Plot Plan 2 (additional copy enclosed) was included in the CEQA portion of the SWFP application package, which identifies the location of the salvaged materials handling (also see POO pages 6, 9, 10 and 11). Also, see the enclosed letter from SHN and the Mt. Lassen Power Green Waste Diversion Program flyer. Very little wood and greenwaste is coming into the transfer station at this time as a result of this program. The little amount received at the transfer station is currently being disposed of with the rest of the general waste. Significant tonnages of wood and green wastes are being received at the Cogeneration facility, which is keeping accurate records of greenwastes received and regularly providing the counties with reports.
11. The EPA Generator ID Number for this facility is CAH-111000439.

Solid Waste Facilities Permit

- 13.a. The facility is in conformance with the approved Nondisposal Facility Element, as well as the County Siting Element and Source Reduction and Recycling Element, of the County-wide Integrated Solid Waste Management Plan (CIWMP) pursuant to PRC, Section 50001. 50000 applies to facilities in the window between the County Solid Waste Management Plan and the CIWMP.

However, the facility does also comply with PRC, Section 50000 (a)(3), (b), (c) and (d) which deal with review and approval of solid waste facilities which have not been identified or described in a county solid waste management plan. Section 50000(d) appears to supersede or override the others when dealing with a solid waste *transfer* facility which is not a material recovery facility (recovers less than 15 % of the total volume of material received by the facility). (d) specifies that in the absence of the two required resolutions by February 1, 1991, that these facilities shall be subject to the review process described in subdivision (c), rather than the process described in (b), which is the procedure identified for (a)(3). (c) requires the review and comment by the task force as apposed to review and approval by the county board of supervisors and each city required in (b).

The facility may have also undergone review and approval under subsection (b) (see August 7, 1995 letter from Steve Alan to Tom Hunter). The facility was submitted to and approved by the County Board of Supervisors through the proposal by and contract with the local franchise haulers. The facility was also submitted to and approved by the Board of Supervisors via the Nondisposal Facility Element, as well as the Countywide Siting Element and Source Reduction and Recycling Element which both relate to the facility and its approval, prepared by the Plumas County Planning Department. Finally, the Board of Supervisors reviewed and approved the facility through approval of the facility's Special Use Permit. While I do not know if the County specifically submitted the site identification and description to each city (Portola is the only one in the County), or if the city approved or disapproved the site identification and description, the city is represented on the Integrated Waste Management Task Force and the Solid Waste Committee.

- 13.g. Is this a new requirement. The statute section says that "the city or county in which the site is located makes a finding". In the past, the agency or governing body making the finding has been

Russ Kanz
Page 4
November 6, 1995

listed as an authorized agent. The finding of consistency in this situation was made by the Plumas County Board of Supervisors implicitly through their approval of the Special Use Permit, as summarized by Steve Allen in his August 7, 1995 letter to Tom Hunter.

14. As stated above, the EPA Generator ID Number is CAH-111000439, and is included on the proposed permit. The facility does not yet accept household hazardous waste, but will in the future.

Upon review of contracts pertaining to the Chester/Lake Almanor Transfer Station (two included with the application package and the one for greenwastes enclosed) and based on my knowledge of the background, design and operation of the facility, the County's goals and objectives in implementing the facility, the County's planning documents, the County's achievement of unaltered 1995 goals and progress towards 2000 goals, the facility will neither prevent or impair Plumas County from achieving its 939 goals. The facility and associated contracts should assist the County in achieving its goals. Also, as discussed above, the facility is consistent with the approved Source Reduction and Recycling, Siting, and Nondisposal Facility Elements of the Plumas County Integrated Waste Management Plan.

A map showing the adjacent land uses, and zoning is included in the copy of the Nondisposal Facility Element that was included in the permit application package (additional copy enclosed, see insert). While this reproduction of the map is not very good, the only zoning and land uses within 1,000 feet of the facility are TP-Z, timber production, and public highway with a 50-foot scenic roadway corridor (see POO page 2). There are no building within 1000 feet of the facility. There are no buildings within several miles of the facility.

If you have any questions, please do not hesitate to contact me at (916)251-8183.

Sincerely,



Ernest S. Genter
LEA Coordinator

Enclosures (5)

cc. Tom Hunter, Plumas County Public Works Department

State of California

California Environmental
Protection Agency

MEMORANDUM

To: Russ Kanz
Permits Branch, North
Permitting and Enforcement Division

Date: November 17, 1995

From:

Alan White

Alan White
Office of Local Assistance, Northern Section
Diversion, Planning and Local Assistance Division
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Subject: REVIEW OF THE PROPOSED PERMIT FOR THE CHESTER/LAKE
ALMANOR SOLID WASTE TRANSFER STATION FACILITY NO. 32-AA-0022 FOR
CONFORMANCE WITH AB 2296

The proposed project involves a new permit for the Chester/Lake Almanor Solid Waste Transfer Station located in Plumas County, approximately five miles east of the town of Chester, at the intersection of State Highway 36 and County Road 322. The site of the new facility is located near the existing Chester Landfill Site. Its primary service area is the Lake Almanor Basin, including the sites of Hamilton Branch, Canyon Dam Peninsula, Prattville, Almanor, and Chester in Plumas County.

The transfer station will accept municipal, domestic, commercial, construction, and demolition waste, and household hazardous waste. The waste stream is projected to be composed of approximately 90 percent municipal solid waste from residential, commercial, and industrial generators, and approximately 10 percent construction/demolition material.

SUMMARY OF CONCLUSIONS

Based upon the review of the submitted documents, the proposed permit conforms with the provisions of AB 2296 as follows:

1. The facility has been reviewed and approved, as required by PRC 50000.
2. The facility is consistent with the County's General Plan (PRC 50000.5).

PRC 50000: CONFORMANCE WITH THE CoSWMP

The Chester/Lake Almanor Solid Waste Transfer Station was not specifically identified in the Plumas County Solid Waste Management Plan (CoSWMP). However, the facility was included in the final Non-Disposal Facility Element (NDFE) for the Unincorporated Area of Plumas County. The Plumas County Integrated Waste Management Task Force, the County Supervisors,

the City of Portola, and the California Integrated Waste Management Board have reviewed, approved, and adopted the NDFE which includes the site identification and description of the Chester/Lake Almanor Solid Waste Transfer Station. Therefore, it does meet the requirements of PRC Section 50000.

PRC 50000.5: CONSISTENCY WITH THE GENERAL PLAN

The Plumas County Board of Supervisors made the determination that the Chester/Lake Almanor Solid Waste Transfer Station is consistent with the County's General Plan in their approval of the Special Solid Waste Use Permit on May 3, 1995.

California Integrated Waste Management Board

Resolution No. 96-105

For Adoption of a Negative Declaration for the
Chester/Lake Almanor Solid Waste Transfer Station
March 27, 1996

WHEREAS, the California Integrated Waste Management Board, acting as Lead Agency, developed an Initial Study for the Chester/Lake Almanor Solid Waste Transfer Station; and

WHEREAS, based on the results of the initial study, it has been found that project activities would not result in any potential significant impacts; and

WHEREAS, a Negative Declaration, State Clearinghouse Number 96022001, was noticed and circulated for review; and

WHEREAS, no mitigation measures have been adopted as a condition of approval; and

WHEREAS, all comments received have been considered.

NOW, THEREFORE, BE IT RESOLVED that the California Integrated Waste Management Board adopts Negative Declaration No. 96022001.

CERTIFICATION

The undersigned Executive Director of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true and correct copy of the California Integrated Waste Management Board held on March 27, 1996.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT 7

California Integrated Waste Management Board
Permit Decision No. 96-104
March 27, 1996

WHEREAS, the Lassen County Public Health Department, acting as the Local Enforcement Agency, submitted a new Solid Waste Facility Permit for the Chester/Lake Almanor Solid Waste Transfer Station to the Board for its review and concurrence in, or objection to, on November 16, 1995; and

WHEREAS, the Plumas County Planning Department determined that there is no possibility that the activities allowed by the permit will have a significant effect on the environment, or are categorically exempt, and these findings are stated in the Notice of Exemption filed by the County, which cite CEQA Guidelines, sections CCR 15061(b)(3), and 15301; and

WHEREAS, the Board was unable to make the same determination regarding the activities described in the proposed permit based on the information contained in the permit package submitted by the LEA; and

WHEREAS, based on the information provided in the permit package, the Board could not determine that the activities described in the proposed permit are exempt from the requirements of CEQA; and

WHEREAS, Section 15062(a)(1) of the CEQA Guidelines allows a responsible agency to assume lead agency responsibilities if the lead agency has not prepared a document and the statute of limitations has expired; and

WHEREAS, an environmental document had not been prepared, and the statute of limitations expired prior to November 1994; and

WHEREAS, Section 15111 of the CEQA Guidelines allows that if a lead agency does not have time to finish the CEQA process within the permit time limit, they are not required to accept an application for filing until such time as progress is sufficient to enable the lead agency to finish CEQA compliance for the project; and

WHEREAS, at the December 7, 1995 Permitting and Enforcement Committee meeting, the Board directed staff to complete an Initial Study for the proposed permit, and after the initial study and any required documentation were completed, that staff bring the proposed permit to the Permitting and Enforcement Committee and Board for consideration; and

WHEREAS, Board staff, acting as lead agency, prepared, noticed and circulated for review an Initial Study and proposed Negative Declaration, on January 31, 1996 (SCH #96022001), to determine if there would be any potential significant impacts to the environment; and

WHEREAS, based on the results of the Initial Study, it has been found that project activities would not result in any potential significant impacts; and

WHEREAS, no mitigation measures have been adopted as a condition of approval; and

WHEREAS, Board staff have evaluated the proposed permit for consistency with the standards adopted by the Board; and

WHEREAS, the Board finds that all State and local requirements of the proposed permit have been met, including consistency with Board standards, conformance with the County Solid Waste Management Plan, and consistency with the General Plan.

NOW, THEREFORE, BE IT RESOLVED that the California Integrated Waste Management Board concurs in the issuance of Solid Waste Facility Permit No. 32-AA-0022.

CERTIFICATION

The undersigned Executive Director of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on March 27, 1996.

Dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

8800 Cai Center Drive
Sacramento, California 95826

**PROPOSED NEGATIVE DECLARATION**

January 31, 1996

Pursuant to the California Environmental Quality Act (CEQA) Statutes, Public Resources Code (PRC) Section 21080(c), and CEQA Guidelines in Title 14 of the California Code of Regulations (CCR) Sections 15070 and 15071; the Environmental Review Section Manager of the California Integrated Waste Management Board (CIWMB) does prepare, make, declare, publish and cause to be filed with the California State Clearinghouse, this Negative Declaration re: The project described as follows:

1) Title and Short Description of Project:

Approval of the Issuance of Solid Waste Facility Permit #32-AA-0022.

The California Integrated Waste Management Board is proposing to concur in the issuance of a Solid Waste Facility Permit for the establishment and operation of the Chester/Lake Almanor Transfer Station in Plumas County.

2) Location of Project:

40 County Road #322
Chester, California
Assessor's Parcel No. 001-45-10

3) The proposed project will not have a significant effect on the environment for the following reasons:

An Initial Study was conducted, and findings were made, that shows that there is no substantial evidence that this proposed project may have a significant effect on the environment (reference CCR, Section 15070).

4) Environmental Impact Report Requirement:

As a result of the Initial Study and Findings, the preparation of an Environmental Impact Report pursuant to CEQA Guidelines, CCR Section 15065 is not required.

NEGATIVE DECLARATION for Chester/Lake Almanor T.S.

Page 2

6) Information Pertaining to the Initial Study

The attached Initial Study has been performed by the Environmental Review Section of the California Integrated Waste Management Board in support of this Negative Declaration. Further information may be obtained by contacting:

William L. Ishmael
Environmental Review Section
Permitting and Enforcement Division
CIWMB
8800 Cal Center Drive
Sacramento, CA 95826
(916) 255-3305

By



Mark De Bie
Manager
Environmental Review Section
Permitting and Enforcement Division
CIWMB

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
Permitting and Enforcement Committee

March 6, 1996

AGENDA ITEM 5

ITEM: CONSIDERATION OF A NEW SITE FOR THE SOLID WASTE DISPOSAL AND CODISPOSAL SITE CLEANUP PROGRAM (AB 2136)

I. SUMMARY

Implementation of the AB 2136 program was approved by the Board on February 24, 1994. Approval included the AB 2136 Flow Chart and guidelines for cleanup of sites through matching grants to local governments, loans to responsible parties and local governments, grants to local enforcement agencies (LEA) for cleanup of illegal disposal sites (IDS), and direct site cleanups using Board-managed contracts.

Since the inception of the Solid Waste Disposal and Codisposal Site Cleanup Program, the Board has approved 35 sites for cleanup. Nineteen sites have been cleaned up and the remaining 16 sites are in various stages of the program process.

This item presents the following site for consideration of approval by the Board for cleanup under the AB 2136 program. The site presented for consideration is proposed for funding as a Board-managed cleanup for a total of \$300,000. The cleanup would be performed with either the remaining fiscal year (FY) 93/94 funds previously encumbered in Board contracts, using either Sukut Construction Company or Granite Construction Company, or fiscal year (FY) 95/96 funds encumbered in the contracts currently under bid. The contract/contractor selected would depend on timeliness of obtaining regulatory agency permits required for the cleanups. Site descriptions and other important information is provided in Attachments 1:

Site Name	County	Est. Cost	Attachment
Wirth Way Illegal Disposal Site	Butte	\$300,000	1

II. ACTION BEFORE THE COMMITTEE

Committee members may:

1. Approve the project presented by staff and forward to the full Board for action; or
2. Direct staff to provide additional information and bring the item back to future meetings of the Permitting and Enforcement Committee and the Board; or
3. Disapprove the project.

III. ANALYSIS

Staff Process

The normal staff review process for sites submitted for approval includes the following actions:

- A. Research LEA and Board records, and determine site ownership and possible responsible parties.
- B. Conduct a site visit with the LEA, take photographs, make a rough determination of quantities of waste and requirements for cleanup or remediation, and prepare a preliminary cost estimate.
- C. Coordinate with the LEA for issuance of a Notice and Order, where appropriate.
- D. Perform site ranking for health and safety and program eligibility.

Site selection is based on many criteria, including the severity of the problems and surrounding land uses. The site proposed in this item was selected based on investigation of many sites throughout the state. The site represent a threat to public health and safety or the environment. This site has been ranked using the Solid Waste Ranking System for illegal disposal sites.

IV. STAFF RECOMMENDATION

Staff recommend that the Board approve the Wirth Way Illegal Disposal Site for remediation under the AB 2136 Program.

V. ATTACHMENTS

- 1: Wirth Way Illegal Disposal Site
- 2: Resolution to Approve the Wirth Way Illegal Disposal Site for Funding

VI. APPROVALS

Prepared by: Glenn K. Young	255-3830
Reviewed by: Marge Rouch, Charlene Herbst	255-2347, 255-2301
Reviewed by: Clinton Whitney	255-2431
Reviewed by: Kathryn Tobias	255-2825

Wirth Way Illegal Disposal Site

Butte County

Site Description: The site, a waste pile, less than 1 acre in area (150 ft x 200 ft) and 4-15 feet deep contains approximately 3000-4000 tons of solid waste. The site was created by the dumping of trash, over several years, by the previous landowner, who was a local garbage hauler for the City of Paradise. The waste pile appears to contain municipal solid waste, wood waste, construction waste and burn ash. The site is situated on the side of a shallow hill (4:1 slope) near a residential area approximately 3 miles from the City of Paradise in Butte County. Exposed waste, evident on the top deck of the fill area, as well as on the front and side slopes of the pile, present physical hazards for persons on site. The front slope of the pile is steep (2:1) and uncovered. The dump caught on fire in September of 1995 and the local Fire Department responded to suppress the fire. The site is an area zoned for multiple family residential, and several homes are located less than 300 feet from the site. The site is not secure, has no fencing or other barriers and is accessible by vehicles.

Location: The site is located on Wirth Way, approximately 3 miles from the town of Paradise in Butte County.

Site Priority: The site is a Rank 2 illegal disposal site (not secure and within 1000 ft of residences).

Ownership: The site is situated on property owned by Mr. and Mrs. Allen Hensley of Folsom California. The responsible party for the dump is Mr. Philip Worth, the previous landowner, who owns Modern Garbage Service of Paradise California.

Cost Recovery: The Butte County Health Department has documentation that evidences that the responsible party was provided with an opportunity to remove the waste from the property (November 8, 1995 to December 8, 1995), and has not done so to date. Clean closure of the site is estimated at \$300,000. Cost recovery should be pursued.

Proposed Method of Cleanup/Remediation: Waste will be excavated and hauled to Neal Road Landfill; metal appliances or other large metal items will be stockpiled for metal reclaimers; hazardous waste will be segregated and disposed of through hazardous waste disposal subcontractors. The site will be graded to original contours.

Preliminary Estimate for Cleanup: \$300,000

Enforcement Actions: Enforcement actions have been taken by the Butte County Health Department; documentation evidencing actions are located in AB 2136 files.

CEQA: CEQA requirements will be met through a Notice of Exemption issued by the Board as lead agency for the cleanup.

Other Staff Comments and Recommendations: Staff recommend this project for Board-managed cleanup under AB 2136. Remediation of this illegal disposal site will eliminate existing significant risks to public health of nearby residents and enhance the environment in the immediate area.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

RESOLUTION 96-110

**FOR APPROVAL OF CLEANUP OF SITES UNDER THE SOLID WASTE DISPOSAL
AND CODISPOSAL SITE CLEANUP PROGRAM - AB 2136**

WHEREAS, Public Resources Code (PRC) Sections 48020 et seq. authorizes the Board to implement the Solid Waste Disposal and Codisposal Site Cleanup Program to remediate environmental problems caused by solid waste and to cleanup up illegal disposal sites to protect public health and safety and the environment; and

WHEREAS, the Board has approved guidelines and policies for this program to cleanup sites.

NOW THEREFORE, BE IT RESOLVED that the Board approves the Wirth Way Illegal Disposal Site for immediate funding for remediation under the Solid Waste Disposal and Codisposal Site Cleanup Program. The Board directs staff to implement remediation measures and to encumber the funding for the cleanup of this site.

CERTIFICATION

The undersigned Executive Director of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on March 27, 1996.

Dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting & Enforcement Committee
March 6, 1996

AGENDA ITEM 9

ITEM: CONSIDERATION OF DELEGATION OF AUTHORITY TO THE EXECUTIVE DIRECTOR TO CONCUR IN THE ISSUANCE OF STANDARDIZED PERMITS

I. SUMMARY

In part, Chapter 5 of Division 7 of Title 14 of the California Code of Regulations (14 CCR) describes the solid waste facilities permit process. Article 3.0 of this chapter outlines the "Regulatory Tier Requirements," including the applications and processing requirements, if any, for the "Excluded Solid Waste Handling," "Enforcement Agency Notification," "Registration Permit," and "Standardized Permit" tiers.

The new compost regulations became effective at the end of July 1995. These regulations incorporated the tiered permitting structure, and thus provided the Board's first experience with streamlined permitting.

The standardized permit lies one level below the "full" solid waste facilities permit familiar to the Board. In order to obtain a standardized permit, operators must submit, and the LEA accept, a complete and correct application package in a manner similar to an application for a full permit.

Standardized permits have prescribed uniform conditions which LEAs will not have the opportunity to delete, alter, or add to in any manner. In fact, the regulations require that any added conditions be stricken by the Board and that the Board concur in the issuance of the edited permit, assuming all other requirements are met.

Also like the full permit, Board staff evaluate the proposed permit and supporting documentation to determine if regulatory requirements are satisfied. Staff could present their recommendations on each proposed standardized permit to the Board in the same manner as per current practice. However, this is not easily accomplished.

Regulations prescribe the Board to either concur in or object to the issuance of a proposed standardized permit within 30 days of its receipt. Due to public notice requirements and the predetermined schedule of the monthly Board (and committee) meetings, scheduling standardized permits for consideration of concurrence is not always feasible. For example, this month's Board meeting is March 27. Public notice of Board meetings must be mailed at least ten days in advance. Therefore, any proposed permit arriving on March 18 (or later) could not be heard at the

March 27 meeting, and the 30 days would expire before the April 24 Board meeting. If the Board does not take action on a proposed permit, its issuance is deemed concurred in by default. Similarly, it is even less likely that standardized permits could be heard at a scheduled meeting of the Permitting and Enforcement Committee.

Not all activities have been slotted

The Board could opt to hold a special meeting(s) when necessary. However, as more activities are "slotted," LEAs will forward proposed standardized permits on a more frequent basis, and multiple special meetings would cause a significant drain on the Board's resources. Rather than schedule additional Board meetings as necessary to accommodate standardized permits, the Board would facilitate concurrence in the issuance of standardized permits by authorizing Board staff to act on its behalf. Accordingly, staff are requesting that the Board delegate the authority to concur in standardized permits to the Executive Director.

Note that any delegation would not preclude staff from presenting proposed permits of a controversial nature to the Board.

II. PREVIOUS COMMITTEE (BOARD) ACTION

Previously, the Permitting and Enforcement Committee and Board had approved both the tiered permitting regulations and compost regulations which incorporate standardized permitting. In August 1995, staff presented an item similar to this one to the Permitting and Enforcement Committee; this item was withdrawn prior to the August Board meeting.

III. OPTIONS FOR THE COMMITTEE AND BOARD

Committee and Board members may decide to:

1. Delegate the authority to concur in the issuance of proposed standardized solid waste facility permits to the Executive Director; or
2. Limit the delegation of authority to concur in the issuance of all proposed standardized compost facility permits only to the Executive Director; or
3. Not delegate authority and schedule special Board meetings, as required, to consider proposed standardized permits. In lieu of scheduling special meetings, the Board could allow some proposed permits to be concurred in by letting the 30 days expire.

IV. STAFF RECOMMENDATIONS

Staff recommends Option 1, delegation of the authority to concur in the issuance of all standardized permits to the Executive Director.

V. ANALYSIS

Delegation of certain approvals is already employed at the Board. The Board has delegated to the Executive Director the authority to concur in "modified" permits. Similarly, the Executive Director may approve both preliminary and final closure/post-closure maintenance plans.

The Executive Director could choose to commission the Deputy Director of the Permitting and Enforcement Division to act as his agent in this matter, as is now the practice with modified permits. The Board could also direct the Executive Director or Deputy Director to periodically provide the Board with a list of permits that have been approved through delegation.

VI. ATTACHMENT

1. Resolution No. 96-101

VII. APPROVALS

Prepared By: David Otsubo *ADO 2/21/96* Phone: 255-3303
Reviewed By: Suzanne Hambleton/Don Dier *SJH 2/21/96 DD 2/21/96* Phone: 255-2453
Reviewed By: Clinton L. Whitney *CLW 2/24/96* Phone: 255-2431
Legal Review: Kathryn J. Oliver Date/Time: 2/27/96

*REC-use planning
experience as an
example*

*Ewan Edgson -
supports Option 1
we'd not complaints
w/o merit.*

ATTACHMENT #1

**CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION NO. 96-101
MARCH 26-27, 1996**

WHEREAS, the Board has adopted a tiered structure for permitting of solid waste facilities; and

WHEREAS, the tiered structure includes a standardized solid waste facilities permit that requires consideration by the Board within 30 days of submittal; and

WHEREAS, it is not practical to schedule multiple meetings each month in order to consider each proposed standardized permit; and

WHEREAS, delegation would not preclude the Board from considering proposed standardized permits of a controversial nature; and

WHEREAS, the Board has in the past delegated similar authorities to the Executive Director;

NOW, THEREFORE, BE IT RESOLVED that the Board delegates to the Executive Director the authority to concur in the issuance of standardized permits.

CERTIFICATION

The undersigned Executive Officer of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held March 26-27, 1996.

Dated:

Ralph E. Chandler
Executive Director

Item 10

Clint - present timeline to Board
FAKES: 1. JPA - Amador / Del Norte / Glenn
2. Lassen County

Steve Edgar - supports Option 1
survey did not include greenwaste TS (chip & ship)
LEA's need further advice on greenwaste activities
facility w/in a facility issue -
Larry Sweetser - make distinction on which facilities pose risk
supports option 1

Michael Robinson - Allen Company
processor - 14 facilities
consider a remedy for those facilities that don't pose threat
don't accelerate - may place facilities emergency

Relis - understood option 1 to be focused on small TS
concerned with accelerating chip & ship
pursue option 1 for all small TS only (no greenwaste)
2-0

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Enforcement Committee

March 6, 1996

AGENDA ITEM 10

ITEM: CONSIDERATION OF STAFF RECOMMENDATIONS TO ADDRESS THE STATUTORY REQUIREMENT THAT UNPERMITTED SOLID WASTE FACILITIES CEASE OPERATION ON OCTOBER 16, 1996.

I. SUMMARY:

This agenda item is presented to consider various options as they may relate to the October 16, 1996 ceasing of operation required by AB 59, statutes of 1995-96.

II. BACKGROUND:

On March 29, 1995, the Board approved the General Methodology for the placement of solid waste facilities and operations into the regulatory tier structure. The methodology uses environmental indicators to evaluate the potential impacts that an operation may pose to public health, safety, and the environment. Classes of operation/facilities are established based on critical factors, such as the nature of the material handled, the handling methods used, the quantity of material and location considerations. For each type of operation/facility identified, environmental indicators are evaluated to determine if any of the regulatory thresholds have been reached, and whether the CIWMB is the appropriate regulatory agency. The Board is now in the process of placing all categories of waste into appropriate tiers and promulgating regulations therefore.

To date, only the compost and contaminated soils waste categories have been placed in regulation. All other waste categories tier regulations have been scheduled for promulgation over the next eighteen months.

AB 59, statutes of 1995-96, requires, among other things, that LEAs must issue cease and desist orders directing that any facilities not permitted as of October 16, 1996 cease operations until the appropriate permit is issued. Some categories of waste will not be slotted in tier regulations until after October 16, 1996.

III. ANALYSIS:

Staff has made a telephone survey of LEAs, the majority of which responded, which revealed that the facilities at greatest risk of closure due to AB 59, are approximately twelve small

volume transfer stations located predominantly in rural areas of the state. These are at risk due to the LEA's judgment that a) they pose not significant threat to public health, safety or the environment, and b) these facilities would, presumably, be slotted in the lower tiers which will not require full CEQA review and other requirement of a full facility permit. The LEAs do not wish to require full facility permits for these facilities when, once these facilities are slotted, a lower tier will be applicable, requiring less processing resource and expense by the applicants.

Staff reasons that large volume transfer stations, MRFs, and other major waste processing facilities will proceed to seek full facility permits between now and the October 16, 1996 deadline on the presumption that a full or standardized tier will be required for these type of facilities even after slotting. Therefore, no special consideration need be given to these facilities at this time. The schedule for slotting these facilities may proceed on the schedule already reviewed by the board.

The issue before this Board is how to avoid closure of small facilities, or larger facilities handling wastes types which otherwise present no threat to the public health, safety and the environment and which may be either in the process of obtaining permits or are pending a decision as what level of permit is appropriate when the statute requires closure on October 16, 1996.

Staff have identified several options for resolving the problem.

Option I. Accelerate the tiering and slotting of those facilities posing little to no risk, i.e. the extremely small volume transfer stations and facilities processing wastes which pose little threat to the public health, safety or the environment. This option would enhance the use of the smaller more frequently removed bin type operation's and slot chipping and grinding and similar operations which are not covered in the compost regulations and presumably constitute a transfer station. It is estimated this approach will take approximately six months, and if successful, will meet the time line to avoid closure of small volume transfer stations and other non threatening transfer facilities.

Option II. Promulgate emergency regulations which slot small volume transfer stations appropriately. This option could address all categories of facilities or could be restricted to the facility types of immediate concern identified in the LEA survey. This option can be implemented most quickly, within approximately 60 days.

Option III. No Action by the Board. This, in effect, would allow the clock to run to the October 16, 1996 date at which time the Local Enforcement Agency(ies) would be required by statute to require that unpermitted solid waste facilities cease operation on October 16, 1996.

IV. STAFF RECOMMENDATION:

Option I. Accelerate the promulgation of only the transfer station category. Notify the LEAs that they have a choice between requiring full permits or relying on the Board's promulgation of the transfer facility tier permits regulations in time to avoid the requirement of cease and desist orders. Staff would advise LEAs in this notification of an estimated time schedule for completing the regulations.

If for some reason beyond the control of the Board, it becomes clear that accelerating the promulgation of tier regulations for this category cannot be accomplished in a timely manner, consider adopting emergency regulations to avoid the negative impacts to the public health, safety and the environment.

Notify LEAs that whatever course they choose, the Board will assist in expediting the processing of permits to the maximum extent possible, but to the extent that permits, either tiered or full, are not issued by October 16, 1996, LEAs will be required to issued cease and desist orders as directed by statute.

Prepared by: H. Thomas Unsell *HTU 3/5/96* Phone: 255-3856

Reviewed by: H. Thomas Unsell *HTU 3/5/96* Phone: 255-2298

Approved by: Clinton L. Whitney *CLW 3/5/96* Phone: 255-2431

Legal Review: *Kathryn J. Tobias* Date/Time: *3/6/96*